

THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NICHOLAS ALBERTON, GRIFFIN EPSTEIN,
GABRIELLE LANG, JENNY ESQUIVEL,
AND JEFFREY MILLER,

Plaintiffs,

Index No.: 05 CV 7692

vs.

THE CITY OF NEW YORK, a municipal entity, NEW YORK CITY POLICE DEPARTMENT, MICHAEL BLOOMBERG, Mayor of the City of New York; JOSEPH ESPOSITO, Chief of the New York City Police Department, RAYMOND KELLY, New York City Police Commissioner, JOHN J. COLGAN, Deputy Chief and Commanding Officer at the Pier # 57 Detention Facility, THOMAS GRAHAM, Commanding Officer of the New York City Police Department Disorders Control Unit, BRUCE SMOLKA, Assistant Chief in the New York City Police Department and in Patrol Borough Manhattan South, and TERRENCE MONAHAN, Assistant Chief in the New York City Police Department, and the Chief of the Bronx Borough Command; NEW YORK CITY POLICE SUPERVISORS AND COMMANDERS "RICHARD ROES", NEW YORK CITY POLICE OFFICERS "JOHN DOES" and "SALLY ROES"; NEW YORK CITY POLICE OFFICER, "JOHN" CONNOLLY, NEW YORK CITY POLICE OFFICER "SALLY" ROSE-HINKSMAN, NEW YORK CITY POLICE OFFICER TYREE FISHER; NEW YORK CITY POLICE DETECTIVE VICTOR LEBRON, individually and in their official capacities, jointly and severally.

Defendants.

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AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
)ss:
COUNTY OF NEW YORK)

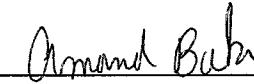
Amanda Baker, being duly sworn, deposes and says:

I am not a party to the within action, am over 18 years of age, and reside in Neptune, New Jersey.

On September 2, 2005 at 2:00 pm, I served a copy of the annexed Summons and Complaint on John Colgan by personally delivering same to Sergeant Paul Helbock, a Caucasian male approximately 35 years old at the New York City Police Department at 1 Police Plaza, Room 1109, New York, NY 10038. He is approximately 5 feet and 9 inches and weighs approximately 190 pounds. He was wearing a beige shirt with black pants. He told me he was authorized to accept service on behalf of John Colgan.

On September 22, 2005, I served a copy of the annexed Summons and Complaint by mailing same by first class mail of the United States Postal Service, in an envelope bearing the legend "personal and confidential" for delivery to the address of the addressee(s) as indicated below:

John Colgan
New York City Police Department
1 Police Plaza, Room 1109
New York, NY 10038


AMANDA BAKER

Sworn to before me

this 22 day of September, 2005.


Notary Public

CAROLYN G. GOODWIN
NOTARY PUBLIC, State of New York
No. 02G06081062
Qualified in Kings County
Commission Expires September 30, 2006